UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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RYAN SAMSEL,

Petitioner,

Civil Action No. 24-cv-5026

-against-

(Kovner, J.)

COLETTE S. PETERS, Director of Federal Bureau of Prisons, WARDEN, Metropolitan Detention Center – Brooklyn, Federal Bureau of Prisons, RONALD L. DAVIS, Director U.S. Marshalls Service, THOMAS N. FAUST, Director Department of Corrections of the District of Columbia, and MERRICK GARLAND, Attorney General as Head of the U.S. Department of Justice,

Respondents.

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DECLARATION OF BRUCE BIALOR, M.D.
CLINICAL DIRECTOR
FEDERAL BUREAU OF PRISONS

I, Bruce Bialor, M.D., declare and state as follows:

1. I am a licensed physician in the State of New York.

2. I am currently employed by the Federal Bureau of Prisons (BOP) at Metropolitan Detention Center in Brooklyn, New York (MDC) since September 2015, initially as a Medical Officer, then in June 2017 as Acting Clinical Director. Since June 2020, I have been the Clinical Director.

3. I make this declaration to provide the Court with information about the medical care being provided to adult in custody Ryan Stephen Samsel (Samsel), Register No. 28332-509, at the MDC.

4. Samsel's BOP medical records show that since his return to the MDC earlier this year, he has been seen by the medical staff for follow up of Opioid Use Disorder, for which he is being prescribed Suboxone. He was also prescribed Lipitor for Hyperlipidemia. Lastly, he has been provided with refills for Apixaban, for his history of recurrent veinous blood clots.

5. After Samsel was transferred back to MDC, he had his intake screening on February 29, 2024. On April 15, 2024, Samsel was subsequently seen for a History and Physical by Brian Gerson, MS, NP-C. At that time, Samsel relayed a history of pulmonary embolism in 2017, two embolisms in both subclavian veins, and a clot in his right lower extremity treated with Eliquis in January 2024. During this screening, Samsel denied any unaddressed health issues or medical conditions.

6. At the time of the April 15, 2024, History and Physical, NP Gerson reviewed a clinical note by Dr. Edinger, the Clinical Director at USP Lewisburg, which was dated April 21, 2022, stated that Samsel reported a prior diagnosis of lymphoma in his left axilla, diagnosed in 2017. An excisional biopsy at that time came back as localized disease, and a follow-up PET scan was completely negative. Additional lymph node biopsies came back negative, and he did not require any additional treatment for lymphoma.

7. Samsel's medical records show that on July 15, 2024, Brian Gerson, MS, NP-C, referred him for a consultation by a plastic surgeon for evaluation and recommendations regarding gynochemastia and thoracic outlet syndrome. The plastic surgery consultation was scheduled for September 17, 2024. However, we are informed that this date conflicts with Samsel's sentencing date. Should he return to MDC, we will pursue this appointment again, since it is non-emergent.

8. Samsel was previously scheduled to undergo surgical excision of breast tissue while detained at FDC Philadelphia, but refused pre-operative lab work on August 19, 2022, which was required for him to undergo the surgery, so the surgery was cancelled. Samsel similarly refused to sign the refusal-form, which was witnessed by two BOP staff members.

9. On July 26, 2024, Samsel had an initial telemedicine visit with the GI clinic at Brookdale Hospital to discuss a colonoscopy, but he refused the procedure.

10. Samsel has been on anticoagulant medication because of his history of recurrent blood clots. Further, he is scheduled to be seen by Health Services regarding his chronic health problems.

In accordance with 28 U.S.C. § 1746 I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: August 20, 2024
Brooklyn, New York

Bruce Bialor MD

Bruce Bialor, M.D.